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UNITED STATES OF AMERICA
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,)	Case No. CR 08-367 DLJ
)	
Plaintiff,)	APPLICATION OF THE UNITED STATES
)	FOR A FINAL ORDER OF FORFEITURE
v.)	
)	
LEONARD B. AUERBACH,)	
)	
Defendant.)	

On September 24, 2008, the Court entered a Preliminary Order of Forfeiture forfeiting the defendant's right, title, and interest in:

- a. \$270,000 of \$540,000 constituting and derived from proceeds from the sale of the defendant's interest in Beautiful Beach House, Ltd., which owned and controlled a home located at the Hacienda Pinilla Beach resort in Costa Rica;
- b. 120 GB hard drive (seized by the government on August 6, 2007);
- c. Sony VAIO laptop computer with 80 GB hard drive and serial number J001WRA8 (seized by the government on August 6, 2007);
- d. 1 GB PNY brand flash drive (seized by the government on August 6, 2007);
- e. 512 MB PNY brand flash drive (seized by the government on August 6, 2007);
- f. Any other property that the government seized from defendant's home in Orinda, California on August 6, 2007 that has been determined to constitute or contain sexually explicit images of minors, including any computers or computer storage devices

1 pursuant to Title 18, United States Code, Section 2428 and Title 18, United States Code, Section
2 2253.

3 The Preliminary Order required the United States to publish notice of the Order and
4 otherwise direct written notice to all persons known to have an interest in said property.
5 Beginning on September 26, 2008, the United States published notice of the forfeiture action on
6 www.forfeiture.gov, a government website for least thirty days, notice of this Order and notice of
7 the government's intent to dispose of the property in accordance with the law. The notice also
8 advised potential third parties of their right to petition the Court within thirty (30) days for a
9 hearing to adjudicate the validity of their alleged legal interest in the property.


10 The United States represents that no petitions have been filed.

11 Therefore, the United States respectfully requests that the Court enter the proposed Final
12 Order of Forfeiture, directing that the property described above be forfeited to the United States,
13 pursuant to Title 18, United States Code, Section 2428 and Title 18, United States Code, Section
14 2253.

15 Dated: 12/23/08

Respectfully submitted,

16 JOSEPH P. RUSSONIELLO
17 United States Attorney

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19 ANDREW S. HUANG
20 STEPHANIE M. HINDS
21 Assistant United States Attorney
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that he is an employee of the Office of the United States Attorney for the Northern District of California and is a person of such age and discretion to be competent to serve papers. The undersigned further certifies that he caused a copy of the following documents

- APPLICATION FOR A FINAL ORDER OF FORFEITURE;
- [PROPOSED] FINAL ORDER OF FORFEITURE

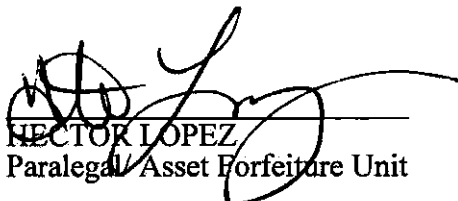
to be served by electronic mail upon the person(s) identified below at their last known place of address:

Paul Wolf, Esq.
Law Offices of Paul Delano Wolf
717 Washington Street, 2nd floor
Oakland, CA 94607

Eric R. Krebs
44 Montgomery Street, Suite 3585
San Francisco, CA 94104

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge.

Executed this 23 day of December, 2008, at San Francisco, California.


HECTOR LOPEZ
Paralegal Asset Forfeiture Unit